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August 16, 2002

VIA HAND DELIVERY

The Honorable Andre M. Davis
U.S. District Court Judge
United States District Court
for the District of Maryland
101 W. Lombard Street
Chambers 5B
Baltimore, MD 21201

FILED ENTERED
JULY 19 2002 RECEIVED

AUG 19 2002

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

Re: Fidelity And Guaranty Life Ins. Co. v. CNA
Financial Corp., et al.
Civil Action No.: AMD-020CV-2317

The Honorable Judge Davis:

Following is the parties' jointly-agreed proposal for an Expedited Discovery Order. This discovery is limited to alleged breaches and actions taken by Defendants, and any discovery on the issue of damages will be completed at a later date, if necessary.

1. A first group of depositions to be concluded within 60 days, including witnesses whom Plaintiff and Defendants currently believe possess firsthand knowledge of relevant facts. As of today, there are 16 such witnesses.

2. A second group of depositions to be concluded within an additional 30 days, if the initial depositions and written discovery responses generate leads to other prospective witnesses.

3. The outstanding written discovery propounded by F&G will be answered on August 23, 2002, and any future written discovery, propounded by either party, shall be answered within 14 days after service. Any follow-up discovery filed thereafter shall be answered within 7 days after service.

CF 8/19/02

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CONTINUATION

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4. The parties may request that the Court schedule a Preliminary Injunction hearing at any time during the course of discovery or thereafter, consistent with the Court's and counsel's respective schedules.

Despite the informal nature of this proposal, we are submitting it as a Joint Motion, and counsel for Defendants have authorized me to represent their agreement. If the Court agrees with this Joint Motion, we request that you enter an Order in the space provided below.

Sincerely,

SHAWE & ROSENTHAL, LLP



Patrick M. Pilachowski

PMP:kac

cc: Ronald G. Harris, Esq.
Gregg L. Bernstein, Esq.
Clerk of the Court

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SO ORDERED, this 19th day of August, 2002.



U.S. District Judge Andre M. Davis